

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7409

BILL NUMBER: SB 466

NOTE PREPARED: Jan 8, 2015

BILL AMENDED:

SUBJECT: Various election matters.

FIRST AUTHOR: Sen. Miller Pete

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: Provides that when the secretary of state's office or the election division (division) are closed on the final day for making a filing, the filing is due at noon on the next day the office is open for public business. Provides that the division, rather than the Indiana election commission, approves a uniform set of election and registration forms for use throughout Indiana. Provides that a person who is physically present in a precinct for a temporary purpose does not gain residency in the precinct. Provides that a precinct election officer may not serve as a challenger, pollbook holder, or watcher. Authorizes a political party to appoint watchers at satellite offices and at central locations for counting absentee ballots. Permits the National Voter Registration Act (NVRA) official to provide notice of NVRA and election law violations by electronic mail, if a useable electronic mail address is available. Requires that a voter registration application received during a period that registration is closed be designated as incomplete (rather than pending). Permits the division to provide an individual's voting history to state and local jurisdictions implementing a voter list maintenance program or to law enforcement officials conducting an investigation. Allows a county election board to adopt an order to provide electronic poll books at vote centers. Provides that the 10 day period for filing a completed voter registration application begins when the first person receives the application from the applicant. Requires that voter list maintenance program mailings be sent to a voter's mailing address. Allows a voter's registration to be canceled based on information from motor vehicle license branches. Requires poll clerks to reduce to writing oral affirmations concerning residency changes made by voters on election day, and allows the update of voter registration records as soon as the writing is delivered to the county voter registration office. Provides that a change in census block data issued by the Bureau of the Census after a precinct establishment order is adopted does not alter the precincts established by the order. Eliminates the requirement that any vote cast for a deceased candidate in a primary election is void, and provides that if a deceased candidate receives the most votes in a primary election, a candidate vacancy occurs that the candidate's party may fill. Provides that, if a voter with disabilities is

unable to sign the absentee ballot application and has not designated an attorney in fact, a county election board may designate both members of an absentee board to sign the absentee ballot application on behalf of the voter and add their names to the application. Provides that a precinct election officer who administers more than one precinct is not entitled to additional compensation. Provides that, whenever a special election is conducted during a year in which a general or municipal election is not scheduled, the circuit court clerk may not receive an application for an absentee ballot for a primary being conducted in the following year earlier than December 1. Specifies methods for determining the end of the line of voters who are waiting to vote at the time the polls close. Permits voters to use cellular telephones and other electronic devices in the polls as long as loud and disruptive conversations and electioneering do not occur. Prohibits a voter from taking a digital image or photograph of the voter's ballot or distributing or sharing the image using social media or other means. Permits a voter to bring a list of candidates and public questions into the polling place for the voter's use in voting as long as electioneering does not occur. Requires that an absentee ballot application be scanned or copied for public inspection before the application is attached to the returned ballot. Permits the precinct designation on ballots used in a vote center county to be preprinted on the ballot before the election or to be added in the same manner as election officials' initials are added immediately before the ballot is delivered to a voter. Provides that a voter requesting but not receiving an absentee ballot may vote at the polls, if the voter executes an affidavit affirming that the voter did not receive an absentee ballot. Requires a county election board to conduct an additional public test of ballot card or electronic voting systems whenever a ballot is reprinted, corrected, or includes a successor candidate, after the initial testing occurs. Establishes public testing procedures for a voting system that includes features of a ballot card voting system and a direct record electronic voting system. Requires a person that receives a certification of an electronic poll book to file within 48 hours with the secretary of state a written report concerning an anomaly or problem discovered after the first date absentee ballots are sent to voters. Provides that rejected absentee ballots in a central count county may not be opened except on the order of a court or the state recount commission. Requires that provisional ballots be delivered by the printer not later than 50 days before a general, primary, special, or municipal election. (Currently, provisional ballots must be delivered 45 days before a general, primary, or municipal election and 32 days before a special election.) Requires the state recount commission to conduct a recount resulting from a statewide public question. Provides that a person filing to fill a candidate vacancy for a local or school board office is not required to file a statement of economic interests until after the person is selected to fill the vacancy. Prohibits a government employee from knowingly or intentionally displaying campaign materials on a government employer's real property during regular working hours. Provides that, whenever a public question concerning a controlled project is defeated or withdrawn, another public question on the same or similar project may not be submitted to voters earlier than 350 days after the date of the defeat or withdrawal. (Currently, the period is one year.) Requires the Allen County circuit court clerk to file with the division, at the end of a year before a year in which the office of judge of the Allen County superior court will be on the ballot, a list of the names, division assignments, and seat designations of the superior court judges. Requires the Monroe County circuit court clerk to file with the division, at the end of a year before a year in which the office of judge of the Monroe County circuit court will be on the ballot, a list of the names and seat designations of the circuit court judges. Provides that if a political subdivision permits or authorizes the placement of election related communications on the real or personal property of the political subdivision, the political subdivision must permit communications from any person to be placed on the political subdivision's property subject to the same time, place, and manner restrictions that apply to election related communications.

Effective Date: Upon passage; July 1, 2015; January 1, 2016.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact*

statement.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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